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ELECTRONIC DATA SYSTEMS L.L.C.,
formerly known as ELECTRONIC DATA
SYSTEMS CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNIE COX,

Plaintiff,

v.

ELECTRONIC DATA SYSTEMS
CORPORATION; and DOES 1 through
10, inclusive,

Defendants.

Case No. CV 08 3927 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR
EXPERT DISCLOSURE**

1 WHEREAS, Plaintiff Donnie Cox has sued his former employer for wrongful
2 discharge in violation of public policy (jury duty) and related causes of action;

3 WHEREAS, the parties participated in a mediation on May 8, 2009 which did not
4 resolve the case, but have been continuing to actively pursue settlement discussions since that date;
5 and

6 WHEREAS, the parties postponed several depositions when it appeared that
7 settlement was likely, but the parties have not been able to reach a settlement; and

8 WHEREAS, Plaintiff plans to take four additional depositions: EDS' Jane Barrett of
9 Plano, Texas (to be taken August 21), Neil Bouey of California State Automobile Association (to be
10 taken August 14, 2009), EDS' Kathy Costello and Jeff Smith (dates to be arranged), and

11 WHEREAS, Plaintiff's counsel believes that these depositions will be helpful in
12 resolving the case; and

13 WHEREAS, the parties wish to avoid incurring additional costs by retaining experts,
14 which could make settlement less likely; and

15 WHEREAS, the parties wish to devote their resources to completing these
16 depositions and pursuing settlement; and

17 WHEREAS, the Court ordered the parties to serve a list of issues upon which it
18 intends to offer expert evidence in its case in chief on July 31, 2009, with expert disclosures to take
19 place on August 28, 2009; and

20 WHEREAS, the case is scheduled for trial on January 11, 2010; and

21 WHEREAS, neither party anticipates that any expert testimony will be needed in any
22 summary judgment motion.

23 THEREFORE, the parties respectfully request that the Court extend the date for
24 disclosing expert issues by one month, from July 31, 2009 to August 31, 2009, and the date for
25 expert disclosure from August 28, 2009 to September 28, 2009 (with the corresponding dates for any
26 opposition (rebuttal) and reply expert reports, and completion of expert discovery extended as well).

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1 SO STIPULATED.

2 Dated: July __, 2009

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/s/
DEAN ROYER
SIEGEL & YEE
Attorneys for Plaintiff
DONNIE COX

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Dated: July __, 2009

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/s/
ROBERT L. ZALETEL
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
ELECTRONIC DATA SYSTEMS L.L.C.,
formerly known as ELECTRONIC DATA
SYSTEMS CORPORATION

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[PROPOSED] ORDER

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FOR GOOD CAUSE APPEARING:

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Pursuant to the stipulation of the parties, the date for disclosure of issues upon which an expert will testify is continued to August 31, 2009, and the date for expert designation and disclosure is continued to September 28, 2009. The date for any expert opposition (rebuttal) reports is continued to October 12, 2009; and the date for expert reply reports is continued to October 19, 2009. The expert discovery cutoff date will be November 2, 2009. All other pretrial and trial dates will remain unchanged.

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IT IS SO ORDERED.

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Dated: July 24, 2009

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HON. WILLIAM
United States District Court

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